IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL ST.NO.451 OF 2006
IN
WRIT PETITION NO.3705 OF 2005

Tolia Industries .. Appellants.
Vs.
Engineering & Metal
Workers Union .. Respondents.

Mr.C.U.Singh with Mr.Vinit Naik for the appellants.
Mr.Bhavesh Parmar for the respondents.

CORAM : SMT.RANJANA DESAI
& D.B.BHOSALE, J.

DATED : 20TH FEBRUARY, 2006.

P.C.:

. Heard learned counsel for the parties.

2. The basic grievance of the appellants is that interim relief has been denied to them. We have heard learned counsel for the parties. In our opinion, the present letters patent appeal can be disposed of by passing the following order:

1. The learned Single Judge is requested to hear and decide Writ Petition No.3705 of 2005 expeditiously.

2. Mr.Singh, learned counsel for the appellants says that Mr.Mahendar Yadav has settled

the dispute by accepting monetary compensation. So for as following persons: namely, Mrs.Shashikala Kakade, Mr.Rajnath Kashyap, Mr.Shravankumar Kashyap and Mr.Chandradev Prasad are concerned, the appellant - firm will take them on duty if they report to duty. The said persons may therefore report to the duty within one week from today. Mr.Singh states that the appellant shall furnish bank guarantee for the amount of Rs.15 Lakhs to the satisfaction of the Registrar General of this Court within eight weeks from today. The appellant shall do so within eight weeks.

3. Mr.Singh, on instructions, from Mr.Viresh Tolia - partner of the appellant-firm states that the appellant-firm shall not sell or part with possession or create third party interest in the land and factory building situated at Wagle Estate, Thane till such time as the instant writ petition is heard and disposed of. So far as machinery is concerned, the appellant-firm can replace or carry out repairs to the same but shall not dispose it of without permission of the Court. Mr.Viresh Tolia, the partner of the appellant-firm shall file an undertaking in this Court within one week from today stating that the appellant-firm shall not sell or part with possession or create third party

interest in the land and factory building situated at Wagle Estate, Thane, till such time as the instant writ petition is heard and disposed of. He shall also file an undertaking that so far as the machinery is concerned, the appellant-firm will not dispose it of without permission of this court. All undertakings and bank guarantee be filed in the writ petition. The letters patent appeal is disposed of.

(Ranjana Desai, J.)

(D.B.Bhosale, J.)